IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

WP(C).No. 22158 of 2005(K)

PETITIONER:

UNNIRA KESAVAN, CHEERANKULAM VEEDU,
THRIKKOTHAMANGALAM, PUTHUPPALLY, KOTTAYAM.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS:

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1. THE REGISTRAR OF CO-OEPRATIVE SOCIETIES,
THIRUVANANTHAPURAM.

2. THE SPECIAL SALE OFFICER, THE KOTTAYAM
CO-OPERATIVE AGRICULTURAL DEVELOPMENT BANK LTD.,
NO.K. 48, KOTTAYAM.

3. THE KOTTAYAM CO-OEPRATIVE AGRICULTURAL
DEVELOPMENT BANK LTD., NO.K.48, KOTTAYAM.

R1 & R2 BY GOVERNMENT PLEADER (SMT. ANU SIVARAMAN)
R3 BY ADV. SHRI T.R. HARIKUMAR, SC.
SRI.V.G.ARUN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 22158 OF 2005 K

Dated this the 17th July, 2007

JUDGMENT

Petitioner availed a loan. The entire amount was not repaid. Heard the learned counsel for petitioner and the respondent Bank. The Writ Petition is disposed of as follows:

The third respondent Bank will serve a Statement on the petitioner showing the amount payable by the petitioner within two weeks from today. Third respondent will consider the grant of benefits available to the petitioner in law while serving the Statement and on receipt of the Statement from the Bank, petitioner is permitted to pay off the amount due as shown in the Statement, in eight equal monthly instalments, the first of which shall be paid on or before 16.8.2007 and the subsequent instalments shall be payable on or before the 16th of every succeeding month. If the petitioner remits the amounts as aforesaid, the sale proceedings shall be kept in abeyance. If the petitioner does not pay any of the instalments, he will lose the

benefits of this Judgment and the respondent Bank will be free to proceed against the petitioner in accordance with law.

K. M. JOSEPH, JUDGE

kbk.